IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH APRIL 2007 / 4TH VAISAKHA 1929

WP(C).No. 13739 of 2007(I)

PETITIONER:

K.CHANDRALEKHA ,
SANGAM TEXTILES, MITTCHEL JUNCTION, MAVALIKKARA.

BY ADV. SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN

RESPONDENTS:

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1. SALES TAX OFFICER, MAVELIKKARA,

2. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM.

3. INSPECTING ASSISTANT COMMISSIONER,
DEPARTMENT OF COMMERCIAL TAXES, CHENGANNUR.

BY SENIOR GOVERNMENT PLEADER SRI. NOBLE MATHEW

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.13739 of 2007

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Dated this the 24th day of April, 2007

J U D G M E N T

The petitioner challenges Ext.P4 order passed by the 2nd respondent in the stay application filed by him along with his appeal against Ext.P1 assessment order. By Ext.P4 order, stay was granted on condition that the petitioner pays fifty percent of the amount within 15 days from the date of receipt of the order and on furnishing security for the balance. The petitioner now prays that he may be permitted to pay the 50 per cent as directed in Ext.P4 in instalments. He seeks permission to pay the same in two equal monthly instalments.

2. Taking a lenient view, I dispose of this writ petition directing the 1st respondent to permit the petitioner to pay the fifty per cent of the tax demanded as directed in Ext.P4, in two equal monthly instalments on 15.5.2007 and 15.6.2007. All other conditions in Ext.P4 would stand unchanged.

Writ petition is disposed of as above.

sdk+ S.SIRI JAGAN, JUDGE